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**VIA ELECTRONIC FILING**

Jocelyn G. Boyd, Esquire  
Chief Clerk & Administrator  
Public Service Commission of South Carolina  
101 Executive Center Drive, Suite 100  
Columbia, South Carolina 29210

RE: Workshops Regarding the Public Service Commission's Formal Review of Its  
Regulations Pursuant to S.C. Code Ann. Section 1-23-120(J)  
S.C. Code Ann. Regs. 103-500, et seq., and 103-700, et seq.: Sewerage Utilities  
and Water Utilities  
**Docket No. 2020-247-A**

Dear Ms. Boyd:

This letter is to inform the Public Service Commission ("Commission") that the Office of Regulatory Staff ("ORS") intends to participate at the Workshop in this docket scheduled for Friday, March 19<sup>th</sup> and to provide ORS's comments and recommendations relating to its review of the Commission's water and sewer regulations, S.C. Code Ann. Regs. 103-500, *et seq.*, and 103-700, *et seq.*

1) Update Contact Information to Include for Authorized Utility Representatives.

Regulations 103-512.2.5 and 103-712(2.5) provide that "[t]he utility shall advise the Commission and ORS of the name, title, address, and telephone number of" authorized utility representatives. ORS recommends that the required information be updated to include the e-mail address of such representatives.

2) Update Regulation 103-730. Customer Information.

ORS recommends revising Regulation 103-730(F) as follows:

Notify any customer making a complaint pursuant to 103-716 ~~that remains unresolved after seven days~~, that the utility is under the jurisdiction of the commission and the customer may notify the ORS of the complaint.”

3) Update Regulations 103-731(d) and 103-531(d) Relating to Deposits

Both Regulation 103-731(d) and Regulation 103-531(d) relate to customer deposits and provide that a utility may require from a customer a deposit where the customer has had his service terminated for nonpayment. However, unlike the corresponding gas and electric regulations, Regulation 103-731(d) and Regulation 103-531(d) do not allow a utility to require a customer deposit where a customer has previously had their service terminated for fraudulent use. *See* S.C. Code Ann. Regs. 103-331(A)(4), 103-431(A)(4).

ORS recommends that Regulation 103-731(d) and Regulation 103-531(d) be revised to read as follows:

A customer has had his service terminated for nonpayment or fraudulent use.

4) Amend Regulations 103-732 and 103-532 to Expressly Provide for Receipts.

ORS recommends that Regulations 103-732 and 103-532 be expanded to expressly provide that the utility shall provide the customer with a receipt upon request, as is provided for in the electric and natural gas regulations. *See* S.C. Code Ann. Regs. 103-339, 103-439.

ORS recommends that regulation 103-732 be revised to read:

The utility shall bill each customer as promptly as possible following the reading of his meter and render a receipt of payment upon request.

ORS recommends that regulation 103-532 be revised to read:

The utility shall bill each customer as promptly as possible and render a receipt of payment upon request.

5) Remove “Oral” Limitation from Regulations 103-538(B) and 103-738(B)

Regulations 103-538(B) and 103-738(B) currently prohibit a utility from terminating a customer’s service prior to the completion of the ORS’s investigation where “[w]hen the ORS has notified the utility that an oral complaint has been received concerning a specific account . . . .” ORS recommends that the word “oral” be removed from Regulations 103-538(B) and 103-738(B) to expand disconnection protection to customers who have made written complaints.

6) Expand Notice Requirements Prior to Disconnection

Regulations 103-735.1 (Procedures for Termination of Service) and 103-535.1 (Notice Prior to Discontinuance of Service) currently permit the utility to make its final customer communication effort ten days prior to disconnecting the customer. ORS recommends expanding these regulations to include that an additional follow-up communication requirement in the two or three business days prior to disconnection, similar to the requirements provided in the electric and natural gas regulations. *See* S.C. Code Ann. Regs. 103-452(b); 103-352(b).

ORS recommends the following paragraph be added to Regulation 103-535.1:

Not more than two business days prior to termination of service, the sewer utility shall make reasonable efforts either by telephone or in person to contact the customers that are subject to termination of service to notify him that his service is subject to termination for non-payment. Alternatively, not more than three business days prior to termination of service, the sewer utility shall notify the customer by mail that he is subject to termination of service for non-payment. The sewer utility shall maintain records of the efforts made to contact such customers. Termination of service may be delayed in case of inclement weather, emergencies or operational conflicts.

ORS recommends the following paragraph be added to Regulation 103-735.1(B):

Not more than two business days prior to termination of service, the water utility shall make reasonable efforts either by telephone or in person to contact the customers that are subject to termination of service to notify him that his service is subject to termination for non-payment. Alternatively, not more than three business days prior to termination of service, the water utility shall notify the customer by mail that he is subject to termination of service for non-payment. The water utility shall maintain records of the efforts made to contact such customers. Termination of service may be delayed in case of inclement weather, emergencies or operational conflicts.

7) Update the Title of Regulation 103-761

Regulation 103-761 is currently titled "Commission Inspection and Tests." The body of the regulation provides that "[t]he ORS shall make tests of meters" rather than the Commission. The title of the regulation should be updated to "ORS Inspection and Tests."

8) Give Customers the Ability to Designate a Third Party to Receive Disconnection Notices

Regulations 103-735.1 (Procedures for Termination of Service) and 103-535.1 (Notice Prior to Discontinuance of Service) do not provide customers with the right to designate a third party to receive disconnection notices. Third party notices can be particularly

important for customers with medical and special needs. The electric and natural gas regulations do provide for third party notices, and ORS recommends that similar language be added to the water and sewer regulations. *See* S.C. Code Ann. Regs. 103-352(f), 103-452(f).

ORS recommends that a subsection (C) be added to Regulation 103-735.1 providing:

The water utility shall provide a copy of the termination notice to any third party identified by the customer upon establishment of the service account or at any time thereafter.

Similarly, ORS recommends the following language be added to Regulation 103-535.1:

The sewer utility shall provide a copy of the termination notice to any third party identified by the customer upon establishment of the service account or at any time thereafter.

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ORS appreciates the opportunity to further address these recommendations in the workshop scheduled for March 19<sup>th</sup>.

Sincerely,

*s/ Alexander W. Knowles*

Alexander W. Knowles

cc: All Parties of Record (via e-mail)  
David Butler, Esquire (via e-mail)